

UNITED STATES DISTRICT COURT
DISTRICT OF MAINE

MARCEL R. MORIN, ET AL.,)	
)	
PLAINTIFFS)	
)	
v.)	CIVIL No. 96-381-P-H
)	
T.P.M., INC., ET AL.,)	
)	
DEFENDANTS)	

ORDER AFFIRMING RECOMMENDED DECISION OF THE MAGISTRATE JUDGE

The United States Magistrate Judge filed with the court on October 1, 1997, with copies to counsel, his Recommended Decision on Motion of Defendant PropSys for Summary Judgment. The Magistrate Judge notified the parties that they could file objections “to those specific portions [of the Recommended Decision] for which *de novo* review by the district court is sought. . . .” The plaintiffs did not object to any specific portions of the Magistrate Judge’s Recommended Decision. Instead, they filed a two-sentence objection, simply “incorporat[ing] by reference” their original opposition to the motion for summary judgment upon which the Magistrate Judge had ruled. Such an “objection” does not comply with Federal Rule 72(b) which requires an objecting party to “serve and file specific, written objections to the proposed findings and recommendations” and provides for a district judge to make a *de novo* determination only “of any portion of the magistrate judge’s disposition to which specific written objection has been made in accordance with this rule.” Fed. R. Civ. P. 72(b). See Paterson-

Leitch Co. v. Massachusetts Municipal Wholesale Elec. Co., 840 F.2d 985, 990 (1st Cir. 1988) (noting that Rule 72(b) assigns “a party displeased by the ensuing recommendation . . . a well-defined duty”); see also Howard v. Secretary of Health & Human Servs., 932 F.2d 505, 509 (6th Cir. 1991) (holding that “[a] general objection to the entirety of the magistrate’s report has the same effects as would a failure to object”). To permit a party simply to refer to its original argument as if the Magistrate Judge had said nothing adds an unnecessary extra layer of review rather than serve the purpose of narrowing and focusing the issues. See id. (Where a party files a general objection, “[t]he district court’s attention is not focused on any specific issues for review, thereby making the initial reference to the magistrate useless,” and results in a “duplication of time and effort [that] wastes judicial resources rather than saving them, and runs contrary to the purposes of the Magistrates Act.”). Accordingly, the plaintiffs’ so-called objection is **OVERRULED**. Therefore, the time within which to file objections expired on October 20, 1997, and no objections have been filed. The Magistrate Judge notified the parties that failure to object would waive their right to de novo review and appeal.

It is **ORDERED** that the Recommended Decision of the Magistrate Judge is hereby **ADOPTED** in all respects. The defendant PropSys’s motion for summary judgment is **GRANTED**.

SO ORDERED.

Dated: October 30, 1997.

D. Brock Hornby
United States Chief District Judge